

REMARKS

Claims 2-5 and 7-14 are pending in this application. By this Amendment, claims 1 and 6 are canceled without prejudice or disclaimer, and claims 2 and 7 are rewritten in independent form. No new matter is involved.

Initially, Applicants acknowledge with appreciation, the indication of allowable subject matter in claims 2-5 and 7-9. Claims 2 and 7 are rewritten in independent form. Claim 2 incorporates claim 1, from which it previously depended, and claim 7 incorporates claim 6, from which it previously depended. Claim 3 depends from claim 2, claims 4 and 5 depend from claim 3, claim 8 depends from claim 7 and claim 9 depends from claim 8. Accordingly, claims 2-5 and 7-9 are in condition for allowance.

The Office Action rejects claim 1 under 35 USC §103(a) as unpatentable over Tyler, pages 3-29. This rejection is moot in view of the fact that claim 1 is canceled.

The Office Action rejects claims 6 and 10-12 under 35 USC §102(e) as anticipated by Tyler, pages 3-29. This rejection is moot with respect to claim 6, which is canceled. This rejection is respectfully traversed with respect to claims 10-12.

Tyler does not disclose (1) generating a card based on the external information received by the controller or (3) storing the card as data in the memory, as recited in independent claim 10.

While Tyler may receive external data/information, Tyler does not generate a card based on such external data/information. Tyler merely stores that data/information and then retrieves it and includes it in the web page. Tyler has absolutely no disclosure of generating a card, as defined on page 5 of this application, or of storing the generated card in memory. Merely storing received external information is not generating a separate card with the received information. Cards contain hypermedia information that makes up the document and Tyler is totally devoid of any disclosure or suggestion of generating cards, separate and

apart from simply placing received external information into a general memory. Moreover, the "rename" command has nothing to do with translating external information into a desired card structure. As Applicants point out on page 5 of the specification, cards are separate elements in a database. Renaming a file means simply to change the name for that very same file, not to generate a card in a database of cards.

Accordingly, Tyler does not anticipate the subject matter of claims 10-12.

The Office Action rejects claims 13 and 14 under 35 USC §103(a) as unpatentable over Tyler, pages 3-29, in view of U.S. Patent 5,347,628 to Brewer et al. This rejection is respectfully traversed.

Tyler fails to disclose a meta-level display of a goals outline and/or a presentation outline. The concept is simply not found in Tyler. Nor is the concept found in Brewer.

Nor does Brewer disclose the concept of linking a goals outline comprising organization of document information content to a presentation outline based on the input and the data.

Notwithstanding these shortcomings, the Office Action alleges that it would be obvious to combine Brewer and Tyler "since Brewer provides a graphical image document of a meta-level display -- office desk-drawer files -- and Tyler discloses linking the goal outline to the presentation outline based on the input."

Applicants respectfully submit that this reason for combining these two references is without merit because neither reference discloses any reasonable nexus between a graphical image document of a meta-level display and linking a presentation outline to a goals outline to author a document.

The Office Action continues by stating what the combination of references would achieve. However, this is not a clear and particular suggestion, teaching, or motivation to combine the prior art references which is an "essential evidentiary component of an

obviousness holding. Rather, it is a broad conclusory statement about the results of the combination - the after-effect of the combination of the references, and is simply not evidence of proper motivation to combine these references.

Merely that the prior art can be modified in the manner suggested by the Examiner does not render the modification obvious unless the prior art suggests the desirability of the modification. In re Fritch, 972 F.2d 1260, 1266, 23 USPQ2d 1780, 1783-4 (Fed. Cir, 1992). Second, a factual inquiry whether to modify a reference must be based on objective evidence of record, not merely conclusionary statements of the Examiner. See, In re Lee, 277 F.3d 1338, 1343, 61 USPQ2d 1430, 1433 (Fed. Cir. 2002). As neither applied reference even suggests any reasonable nexus between a graphical image document of a meta-level display and linking a presentation outline to a goals outline to author a document, and as neither reference discloses a meta-level display of a goals outline and/or a presentation outline, the motivation for modifying Tyler to achieve the claimed invention must be based on speculation and/or impermissible hindsight.

Regarding claim 14, the Office Action alleges that Brewer discloses a meta-level display of a kitchen image, an office image and a studio image.

This rejection is improper for the reasons set forth above regarding claim 13. Simply because Brewer discloses an office image does not alter the fundamental impropriety of the reference combination. As with claim 13, the Office Action is engaging in wholly impermissible hindsight reconstruction based solely on Applicant's disclosure.

For at least the reasons outlined above, Applicant respectfully submits that the alleged combination fails to teach, disclose or suggest all of the features of claims 13 and 14. Thus, the alleged combination fails to render obvious the subject matter of claims 13 and 14 under 35 U.S.C. §103(a). Withdrawal of the rejection of claims 13 and 14 under 35 U.S.C. §103(a) as unpatentable over Tyler and Brewer et al. is respectfully solicited.

Accordingly, Applicants respectfully request allowance of claims 2-5 and 7-14.

Should the Examiner believe that anything further is needed to place this application in even better condition for allowance, the Examiner is invited to contact Applicants' undersigned representative at the telephone number listed below.

Respectfully submitted,



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